

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLAYTON BRYAN MILLER,

Petitioner,

Case No. 1:08-cv-786

v.

Honorable Gordon J. Quist

BLAINE C. LAFLER,

Respondent.

ORDER OF DISMISSAL

Petitioner initially filed a “Motion to Show Cause” (docket #1), which the Court construed as a habeas corpus action brought pursuant to 28 U.S.C. § 2254. (*See* Order, docket #3.) In his motion, Petitioner argues that he is being illegally restrained as the result of a decision by the Michigan Parole Board. On September 23, 2008, the Court issued an order requiring Petitioner to file an amended habeas petition, which complies with Rule 2(c) of the Rules Governing Section 2254 Cases, because Petitioner did not adequately state his grounds for relief or provide any supporting facts. (*See id.*) Petitioner’s motion also referred to exhibits but he did not file any exhibits. (*Id.*) Plaintiff has now filed a motion for voluntary dismissal of his case (docket #4). Upon due consideration, the Court will grant Petitioner’s request. Accordingly:

IT IS ORDERED that Petitioner’s motion for voluntary dismissal (docket #4) is GRANTED. The captioned case hereby is DISMISSED without prejudice.

Dated: November 24, 2008

/s/ Gordon J. Quist

Gordon J. Quist
United States District Judge